

Minutes of the Special and Regular Meeting of June 24, 2003.

Senior and Community Center, 1225 Ralston Avenue, Belmont

SPECIAL MEETING

CALL TO ORDER, 6:45 P.M.

Councilmembers Present: Bauer, Warden, Metropulos, Wright

Councilmembers Absent: None

Staff Present: City Manager Kersnar, Assistant City Manager Rich, City Attorney Savaree, Public Works Director Davis, Community Development Director Ewing, City Clerk Cook

Consideration of Resolution declaring the results of the Special Municipal Election held on June 3, 2003.

Action: On a motion by Councilmember Bauer, seconded by Councilmember Metropulos, Resolution 9414 Declaring the Results of the Special Municipal Election held on June 3, 2003, was unanimously approved by a show of hands.

Oath Of Office and Presentation of Certificate of Election to Newly Elected City Council Member Coralin Feierbach.

City Clerk Cook administered the Oath of Office, and Mayor Wright presented newly elected City Councilmember Feierbach with a Certificate of Election from the County of San Mateo.

Councilmember Feierbach took her seat at the dais. She thanked her supporters and her family. She outlined some of the issues and goals that the community expressed to her during the campaign, and stated that she was committed to making Belmont a better place. She also stated that the election was over and that it was time to do what Council was elected to do.

Councilmember Bauer welcomed Councilmember Feierbach and stated that it was time to put away differences and move forward. He also stated that while the two of them had different viewpoints, they both had an honest desire to serve the community.

Councilmember Metropulos stated that he got to know Councilmember Feierbach several years prior while dealing with a construction noise issue in

his neighborhood. He stated that Councilmember Feierbach is very good at getting people together to resolve issues.

Councilmember Warden stated that Councilmember Feierbach is a complex person who loves Belmont.

Mayor Wright stated that he and Councilmember Feierbach met following the election and stated that they are both committed to doing the right thing for the community.

ADJOURN TO RECEPTION 7:00 P.M.

REGULAR MEETING

CALL TO ORDER 8:02 P.M.

Councilmembers Present: Feierbach, Bauer, Warden, Metropulos, Wright

Councilmembers Absent: None

Staff Present: City Manager Kersnar, Assistant City Manager Rich, City Attorney Savaree, Public Works Director Davis, Community Development Director Ewing, City Clerk Cook

COUNCIL MEMBER COMMENTS AND ANNOUNCEMENTS

Mayor Wright announced that beginning with the July 8, 2003, Council meeting, staff reports would be available to the public via the City's Web site. Councilmember Warden stated that very few cities had this tool available to the public.

AGENDA AMENDMENTS

Mayor Wright announced that item 4-K (Approval of Plans and Specifications for Playground Improvements) would be removed from the Consent Agenda for separate consideration.

CONSENT CALENDAR

Approval of meeting minutes: Regular City Council Meeting and Joint Meeting with the Finance Commission on May 27, 2003; Regular and Special Meeting of June 10, 2003.

Approval of Warrant List Dated: June 6, 2003, in the total amount of \$735,003.94; and June 13, 2003, in the total amount of \$197,980.28.

Acceptance of Written Communication 1) Memorandum dated May 2003 from Varnum, Riddering, Schmidt, Howlett re Model Cellular Tower Leases, Zoning Ordinance – Updated for Bankruptcy.

Motion to waive reading of Ordinances.

Approval of Ordinance 989 to Increase the posted Speed on Ralston Avenue between Old County Road and US 101 (2nd reading and adoption).

Approval of Resolution 9415 Authorizing South Bayside Waste Management Authority to Request and Administer Funding on Behalf of the City of Belmont from the California Department of Conservation.

Approval of Resolution 9416 Approving Plans and Specifications, Authorizing Advertisement for Sealed Bids, Approving Award of Contract to the Lowest Responsible Bidder for an amount not to exceed \$197,544, and Authorizing the City Manager to Execute a Contract for Bus Routes Rehabilitation - Various Streets Phase I, City Contract No. 449.

Approval of Resolution 9417 Vacating an Existing Sewer Easement and Acquiring an Easement in Exchange thereof on Property at 1040 Alameda de las Pulgas – APN 045-023-280.

Approval of Resolution 9418 Appointing Susanna Korn to the Finance Commission for a term ending March 1, 2006.

Approval of Resolution 9419 Authorizing a Professional Services Agreement with Telecommunications Engineering Associates (TEA) to provide consulting services relating to Public Safety Communications for the New Belmont Police Facility.

Action: On a motion by Councilmember Bauer, seconded by Councilmember Metropulos, the Consent Agenda, with the except of Item 4-K (Approval of Plans and Specifications for Playground Improvements) was unanimously approved by a show of hands.

ITEMS REMOVED FROM CONSENT AGENDA FOR SEPARATE CONSIDERATION

Resolution Approving Plans and Specifications, Authorizing Advertisement for Sealed Bids, Approving Award of Contract to the Lowest Responsible Bidder for an Amount Not to Exceed \$292,000, Approving a Construction Contingency Not to Exceed \$23,000 and

Authorizing the City Manager to Execute a Contract for City Playground Improvements, City Contract No. 450.

Parks and Recreation Director Mittelstadt stated that for safety and handicapped accessibility reasons, the City was required to replace playground equipment in five of the City's parks. He clarified that State bond monies were available to fund the project. He reviewed the project schedule, and stated that the Parks and Recreation Commission unanimously recommended the project as proposed.

Parks and Recreation Director Mittelstadt reviewed the community outreach that was performed for each of the parks, and clarified that the only concerns raised were for College View Park. He clarified that those concerns resulted in various changes to the proposed play structure. He stated that the existing playground structure had been in place for thirty years, and that the park was intended for the use by the immediate neighborhood. He also stated that a resident of the neighborhood, a concrete contractor, was donating \$10,000 worth of concrete work for College View Park.

Judy Sager, College View Way, stated that she favored replacement of the playground equipment, but that College View Park was described in the Belmont General Plan as a mini-park with a bench and lawn with no mention of playground equipment. She clarified that it is the only mini-park surrounded by homes. She stated that she was concerned that the new play structure would result in increased noise and visual impact. She also stated that she had a petition with 24 signatures opposing the proposed structure, and that the issue had divided the neighborhood.

Ed Cull, Southview Court, stated that he agreed with Ms. Sager, and that there was a flaw in the notification process for this project. He clarified that is in favor of replacing the equipment with a similar structure.

Alexander Bartee, Phyllis Court, age 7, stated that he wanted the new playground equipment.

Deanna Bartee, Phyllis Court, stated that there were many positive aspects to the proposed plan, and that the proposed structure is not much bigger than the existing structure. She also stated that the proposed structure would benefit all ages in the neighborhood.

Cathy Wright, Phyllis Court, stated she was in favor of the commission's recommendation. She also stated the commission had spent a great deal of time on the plan, and made modifications in response to concerns of some of the neighbors. She clarified that the renovation will enhance the

neighborhood, and meets the goals in the General Plan. She also stated that the park was a selling point when she purchased her home.

Scott Wright, Phyllis Court, stated that the proposed plan will increase home values, and that he wanted to maintain a safe, family-oriented neighborhood. He clarified that kids play in the street now, and that the new structure would make the neighborhood safer.

Joseph Tosaky, College View Way, stated that the current park is not used by older kids, and that the fall zone for the proposed equipment was 10 feet from his home. He also stated that the new structure would have a negative impact because it is too large. He stated that someone at the top of the 6-foot structure would be able to look into his window. He also stated that the description of the park in the General Plan mentioned lawn and a bench.

Penny Golder, College View Way, stated that Parks and Recreation Director Mittelstadt advised her the existing playground equipment would be replaced, and that she backed away from opposition when she thought changes were going to be made to the proposed plan. She read a letter she had previously sent to the Council in opposition to the proposed playground structure.

Mike Dutto, Chair of the Parks and Recreation Commission, stated that the Commission had many discussions regarding this playground, and that the recommendation was unanimous. He clarified that the new structure was bigger, but safer, and that it would be an improvement to the area.

Parks and Recreation Director Mittelstadt clarified that the Parks and Open Space Master Plan contained recommendations for College View Park, and that the proposed structure met that goal. He also clarified that changes had been made to the proposed structure in response to concerns expressed by some of the neighbors.

In response to questions from Councilmember Metropulos regarding problems at Alexander Park, which is also surrounded by homes, staff clarified that there had never been any complaints about noise, nor had there been any police activity.

Council discussion ensued. Councilmember Warden stated that the new structure did not appear to be substantially different from what was already in place. Councilmember Bauer stated the proposed structure was an enhancement to the neighborhood and that it was not a destination park.

In response to Councilmember Feierbach's question regarding a change in park hours, Parks and Recreation Director Mittelstadt clarified that the sunrise-to-sunset hours were set by ordinance, and the ordinance could be amended if early morning noise became a problem. Mayor Wright stated that common sense dictated that parents do not send kids to play in the park at 6:00 a.m.

Action: On a motion by Councilmember Metropulos, seconded by Councilmember Bauer, Resolution 9420 Approving Plans and Specifications, Authorizing Advertisement for Sealed Bids, Approving Award of Contract to the Lowest Responsible Bidder for an Amount Not to Exceed \$292,000, Approving a Construction Contingency Not to Exceed \$23,000 and Authorizing the City Manager to Execute a Contract for City Playground Improvements, City Contract No. 450, was unanimously approved by a show of hands.

Mayor Wright stated that this matter had been given due diligence throughout the process, and that he heard no new information this evening.

PUBLIC HEARINGS

Public Hearing to consider an appeal filed on March 10, 2003, by Mr. Philip Talbert, regarding Planning Commission Action taken on March 4, 2003, amending conditions of approval for a three-lot Minor Subdivision located at 2610 Hallmark Drive, Assessor's Parcel Numbers 045-421-180, 190, & 200 (Application No. 1999-1124). (Continued from May 27, 2003.)

Principal Planner de Melo stated that this three-lot subdivision was originally approved in 1999. He clarified that at the time of approval, one lot contained a single-family dwelling, which would remain, one lot was vacant, and the third lot would be dedicated open space. He added that this configuration had not changed since its approval. He stated that as a result of a request of the property owner, in March of 2003 the Planning Commission approved the removal of Condition I(C), which required certain drainage improvements, from the list of conditions. He clarified that as a mitigation for the removal of this condition, the Commission added new conditions of approval, as recommended by the geologist. He clarified that the dedication of Lot 1 was the basis for the original approval of the subdivision.

Principal Planner de Melo stated that since the Commission's approval of the subdivision, staff has made numerous unsuccessful attempts to secure the dedication of the third lot for open space, which was a condition of approval of the project.

Principal Planner de Melo stated that the appellant's argument was factually inaccurate, and that he had not provided any evidence to support his contention that the Planning Commission abused its discretion. He clarified that it was staff's opinion that there is no basis to overturn or modify the Commission's decision.

In response to Council questions, Principal Planner de Melo clarified that adding conditions when another condition is removed was not uncommon, and that the additional conditions for this project addressed drainage and erosion control. He also clarified that the dedication of the lot was for an open space conservation easement, as opposed to the property being given to the City. City Attorney Savaree clarified that the reference to the property being a gift to the City was for tax purposes for the benefit of the appellant, but that the lot was always intended to be kept in private ownership with an open space easement.

Philip Talbert, Laguna Beach, reviewed the grounds for his appeal. He stated that the Commission had voted to remove the condition as requested, and there was no further discussion about adding any new conditions. He reviewed the geologist's report from June of 2002 wherein it stated that there had been no significant change in erosion on the property since 1996. He clarified that the report did not state that mitigation was required. He stated that the map listed as Exhibit A of the resolution that was passed in 1999 shows an area of dedication, which indicated a portion of Lot 1 and a portion of Lot 2. He stated that there was no mention in the resolution of the dedication of one entire parcel. He further stated that that mitigation was not required if the parcel was not developed, and that the only potential for erosion would be on City property 100 to 300 feet away from any potential structure on Lot 2.

Mr. Talbert also stated that the background information provided to Council did not include the original 2-lot subdivision proposal, which was supported by staff, but denied by the Planning Commission. He clarified that the 3-lot subdivision was approved as a result of a judge's ruling.

Councilmember Warden stated that in regard to the map referenced by the applicant, it was his recollection that there was never any discussion regarding a lot line adjustment of the current 3-lot configuration, and that the dedication was for a whole parcel, not for portions of parcels. It was his belief that reconfiguring the lots would require an additional subdivision application.

City Attorney Savaree clarified that the map had been proposed by former Community Development Director Vanderprien at the Planning Commission

meeting when the subdivision was approved, but that the Commission had not agreed to the proposal contained in the map. She also clarified that Mr. Talbert was not present at that meeting, but that his attorney was present.

In response to a question from Councilmember Bauer, Mr. Talbert stated that it was never intended that one entire lot would be dedicated, and that this condition was not in writing. In response to Councilmember Warden, Mr. Talbert confirmed that Mr. McCracken was his attorney.

Councilmember Warden stated that a letter from Mr. McCracken states that Lot 3 is a gift. Mayor Wright added that the Planning Commission made its findings based on that condition. Mr. Talbert responded that the subsequent resolution referenced an area of dedication as indicated by the staff report. Councilmember Warden stated that the motion of the Planning Commission was to approve a resolution approving a minor subdivision at 2610 Hallmark Drive, and directing staff to obtain the necessary documentation to effectuate the gift of the portion of the property as open space.

Mayor Wright opened the Public Hearing.

Margaret Neuffer, Hallmark Drive, stated that she supported the recommendation of staff to deny the appeal.

Mary Ann Koliopoulos, Hallmark Drive, agreed with Ms. Neuffer, and stated that she had concerns regarding erosion when each adjoining lot represents one continuous slope. She also stated that she had a desire for open space and ensuring the health and stability of the surrounding sidewalks, street and slopes.

Kenn Parsons, Chair of the Planning Commission, clarified that Mr. Talbert was not present when the Planning Commission approved the project in 1999, and that the agreement was for one entire parcel for open space. He also clarified that the decision was based on the facts presented, not on the proposed map, and that the map was never considered by the Commission. In response to Council questions, Chair Parsons stated that he believed that the map had been drafted by the former planning director, but that his review of the Planning Commission minutes gives clear direction regarding the parcel dedication. He also stated that the basis of the agreement was the recordation of the parcel, but that the subdivision was filed without the dedication.

Louis Vella, Wakefield Drive and President of the Belmont Civic Heights Improvement Association, stated that throughout this process there had been considerable hearsay, and that the geotechnical experts do not agree.

He clarified that he agreed with the staff recommendation, and that removal of conditions often leads to the inclusion of other conditions.

Action: On a motion by Councilmember Warden, seconded by Councilmember Metropulos, the Public Hearing was closed unanimously by a show of hands.

Philip Talbert, Appellant, stated that the City is responsible for actions of staff, and that the actions of the previous planning director may have been vindictive.

Councilmember Feierbach stated that she voted against the subdivision when this matter was previously before the City Council, and that she was a member of the recent Planning Commission that approved the change of conditions. She said that the parcel dedication was very clear.

Action: On a motion by Councilmember Feierbach, seconded by Councilmember Warden, Resolution 9421 upholding Planning Commission Resolution 2003-12, Removing Condition I(C) and Amending Conditions of Approval of Resolution 1999-73, Minor Subdivision, 2610 Hallmark Drive, was unanimously approved by a show of hands.

RECESS: 9:25 P.M.

RECONVENE: 9:35 P.M.

Reconvene Continued Public Hearings for the Belmont Fire Protection District; Redevelopment Agency and City of Belmont to consider proposed budgets for Fiscal Year 2003-04, including establishment of Appropriations Limits, and to consider a Resolution approving the report of proposed Sewer/Storm Drain Rates to be collected by the County of San Mateo on the property tax roll, to consider a Resolution approving the Master Fee Schedule, and to consider a Motion to approve/deny revisions to Financial Policies.

Finance Director Fil stated that this was the third in a series of continued public hearings regarding the 2004 Budget. He reviewed all the actions to be made by Council this evening, including adoption of the Budget, approval of financial policies, approval of the Gann Limit calculations, approval of sewer charges, and the revised Master Fee Schedule. He clarified that the Master Fee schedule had been adjusted for inflation, revised employee hourly rates, and levels of effort. He stated that the sewer charges reflected a 12 percent increase to meet operational needs and to increase the fund balance.

Finance Director Fil reviewed the financial policies as presented, and stated that a revised purchasing ordinance would be presented to the Council for adoption at a subsequent meeting.

Mayor Wright opened the Public Hearing. No one came forward to speak.

In response to Councilmember Feierbach, Finance Director Fil clarified that Revenue Limit resolution for the Belmont Fire Protection District sets the amount for tax receipts, and the other resolution establishes the expenditures. He stated that the difference between the two reflects the fund balance.

In response to Councilmember Bauer regarding the inclusion of a banner fee in the Master Fee Schedule, Public Works Director Davis stated that no fee is currently charged for this service, and that the proposed Master Fee Schedule establishes a new fee. Councilmember Bauer stated that this service was used primarily by nonprofit organizations.

Action: On a motion by Councilmember Warden, seconded by Councilmember Bauer, the Public Hearing was unanimously closed by a show of hands.

Councilmember Metropulos stated that while the Master Fee revisions contained modest increases and very few new fees, he was concerned about the inclusion of the banner and the barricade fees. He stated that these services were community-minded, and that the City should do them for no charge.

Councilmember Warden stated that he could support a fee schedule that did not impose a charge for Belmont nonprofit organizations, similar to the facility use fee schedule. City Manager Kersnar stated that those charges could be removed, and that staff could bring the matter back to Council with options.

Action: A motion was made by Councilmember Warden, seconded by Councilmember Bauer, to approve all of the Budget resolutions as presented.

Action: On a motion made by Councilmember Metropulos, seconded by Councilmember Bauer, to amend the initial motion to exclude the new fees proposed under "Other Services" from the Master Fee Schedule to be considered at a subsequent date was unanimously approved by a show of hands.

Action: On the initial motion, as amended, the Resolution 9422 Adopting the 2004 Revenue, Appropriations, and Capital Improvement Program Budgets, Resolution 9423 Approving the Article XIIB Appropriations Limit for FY 2004, Resolution 9424 Adopting the FY 2004 Master Fee Schedule (as amended), Resolution 9425 Setting Sewer/Storm Drain Rates for FY 2004, and Resolution 9426 Adopting Financial Policies were unanimously approved by a show of hands.

Public Hearing to consider a Resolution approving the proposed National Pollutant Discharge Elimination System (Stormwater) Charges and Election to have charges collected on the Tax Roll. (City Charge \$30.00 Residential/Misc).

Public Works Director Davis stated that this fee was to fund the City's NPDES activities such as street sweeping, creek cleanup, and public education and outreach. He clarified that the County collected these fees on the property tax roll.

Mayor Wright opened the hearing. No one came forward to speak.

Action: On a motion by Councilmember Bauer, seconded by Councilmember Metropulos, the Public Hearing was unanimously closed by a show of hands.

In response to Council comments, City Manager Kersnar clarified that the NPDES activities were unfunded federal mandates. Mayor Wright stated that it was his understanding that there are more pollutants from residential runoff than from commercial runoff.

Action: On a motion by Councilmember Bauer, seconded by Councilmember Feierbach, Resolution 9427 Approving the National Pollutant Discharge Elimination System (Stormwater) Charges and Election to have charges collected on the Tax Roll was unanimously approved by a show of hands.

Public Hearing to consider a Resolution recommending that the San Mateo County Flood Control District Impose Basic and Additional Charges for Funding the Expanded the Scope of Work for the 2003-2004 Countywide National Pollutant Discharge Elimination System (NPDES) General Program.

Public Works Director Davis stated that this fee of \$3.44 per parcel supported the County's NPDES activities.

Mayor Wright opened the hearing. No one came forward to speak.

Action: On a motion by Councilmember Warden, seconded by Councilmember Bauer, the Public Hearing was unanimously closed by a show of hands.

Action: On a motion by Councilmember Bauer, seconded by Councilmember Feierbach, Resolution 9428 Recommending that the San Mateo County Flood Control District Impose Basic and Additional Charges for Funding the Expanded the Scope of Work for the 2003-2004 Countywide National Pollutant Discharge Elimination System (NPDES) General Program was unanimously approved by a show of hands.

Ordinance deleting Chapter 2, Article V of the Belmont Municipal Code, Purchasing, and introducing Chapter 2, Article V regarding Purchasing Control System.

City Manager Kersnar stated that the information for this item had been forwarded to Council, and that the ordinance would be presented at the Council Meeting of July 8, 2003.

Ordinance Amending Belmont City Code Chapter 6, Bicycles and Chapter 14, Article 5, Skateboards, Skates, Bicycles and Similar Vehicles.

City Attorney Savaree stated that in response to previous Council direction, a generic definition of bicycles was included in the ordinance. She clarified that all the other amendments were included as presented previously.

Mayor Wright opened the Public Hearing. No one came forward to speak.

Action: On a motion by Councilmember Bauer, seconded by Councilmember Metropulos, the Public Hearing was unanimously closed by a show of hands.

Action: On a motion by Councilmember Warden, seconded by Councilmember Bauer, an Ordinance Amending Belmont City Code Chapter 6, Bicycles and Chapter 14, Article 5, Skateboards, Skates, Bicycles and Similar Vehicles was unanimously introduced by a show of hands, and the second reading was set for July 8, 2003.

OLD BUSINESS

Discussion and direction regarding Arts Commission vacancy.

City Manager Kersnar stated that the Arts Commission requested that the Council reconsider its previous direction regarding holding the current

commission vacancy open until the next cycle. He clarified that it was staff's recommendation to reopen the position for a specific time frame.

Audrey Murray, Chair of the Arts Commission, stated that this commission had different talents from the other commissions, and that it was the best commission since its inception. She clarified that the members of the Arts Commission took on various projects, and that a seventh member was needed to accomplish the goals of the Commission. She also clarified that the commission was becoming more visible in the community through the Namur Sister City and other activities. She also stated that it was unusual that there had been four vacancies during the last cycle.

Councilmember Warden reviewed the amount of staff and Council time required for the commission interview process. He suggested that the Arts Commission members interview potential candidates and make a recommendation to Council for appointment.

Action: On a motion by Councilmember Warden, seconded by Councilmember Feierbach, it was unanimously approved by a show of hands to open the application process for 45 days and to have the Arts Commission interview applicants and make a recommendation to Council for appointment.

NEW BUSINESS

Resolution Authorizing An Agreement Between The County Of San Mateo And The Twenty Cities Of The County For The Provision Of Animal Control Services.

Acting Police Chief Mattei reviewed the new three-year contract with the County of San Mateo for animal services. He stated that fees assessed to each city would now be based on the volume of calls for service as opposed to population, which is the current method of calculation. He also stated that another change from the current contract is that the Peninsula Humane Society (PHS) will no longer respond to barking dogs or other nuisance animal complaints. He clarified that City staff had been managing those calls anyway, so there was little impact from this change.

City Manager Kersnar stated that the increase in costs for Belmont with the new fee structure was not significant, but that it was for other cities. He further stated that it was not in the Humane Society's long-term plans to perform animal control services in the future, that there was no other provider, and that cities will need to explore this issue in the future.

Councilmember Warden stated that he shared San Mateo County Supervisor Church's lack of support for the contract due to the exclusion of nondiscrimination language for employment, and that he had some concerns regarding cost of management. He clarified that he would be voting against the contract for those reasons.

Council discussion ensued. City Manager Kersnar clarified that the calls for service were not controlled by the City but were made directly to the Humane Society. Acting Police Chief Mattei stated that staff would monitor and provide periodic calculations on this.

Action: On a motion by Councilmember Metropulos, seconded by Councilmember Bauer, Resolution 9429 Authorizing An Agreement Between The County Of San Mateo And The Twenty Cities Of The County For The Provision Of Animal Control Services was approved 4-1 by a show of hands (Warden, no).

MATTERS OF COUNCIL INTEREST/CLARIFICATION

Consideration of Council team-building session (Warden).

Councilmember Warden stated that he found it valuable to have the team-building session several months ago, and that he would encourage the Council to have another one, now that Councilmember Feierbach had been elected. City Manager Kersnar stated that this session could be tied into something with the department heads on the organizational vision.

Council concurred to have the Mayor and Vice-Mayor work with staff to identify a date and facilitator for an upcoming team-building session.

Action: At this time, being 10:23 P.M. Council adjourned to Closed Session.

CLOSED SESSION

A. Conference with Legal Counsel, Existing Litigation, pursuant to Government Code Section 54956.9, Nibbi v. Belmont, Case No. 100727.

-

B. Conference with Legal Counsel, Existing Litigation, pursuant to Government Code Section 54956.9, Eckert v. Belmont, Case No. CIV424959.

Councilmembers Present: Feierbach, Bauer, Warden, Metropulos, Wright

Councilmembers Absent: None

Staff Present: City Manager Kersnar, Assistant City Manager Rich, City Attorney Savaree, Community Development Director Ewing. City Clerk Cook was excused from attending.

Adjournment – at this time being 11:00 P.M., the Closed Session Special Meeting of the Belmont City Council was adjourned.

Terri Cook

City Clerk

Meeting tape-recorded and videotaped.

Tape No. 557